

they have amendments, and they are properly on the list we have asked consent for, but in order to have amendments considered, Senators have to come to the floor and actually offer them.

I ask Senators and their staffs who might be monitoring these proceedings to call the Cloakroom if they can regarding their amendments because we would like to go to third reading.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, Senator CAMPBELL and I have been talking about the list we have presented that makes certain amendments in order and available to be offered. It is a very small list. In fact, with the exception of being able to approve a number of items on this list, I believe there are only two Senators remaining who have yet to come to the floor and offer amendments on which they are protected on the list. We ask them to do that. It is now 10 minutes before 7 in the evening. Those Senators would have had notice all day that we have been working on this bill. And, frankly, the Senate has been in a quorum call much of the day.

Senator CAMPBELL and I encourage those Senators who still have amendments they may wish to offer to either come and offer them or perhaps call us and notify us that they will not be offering those amendments, at which point we could go to third reading.

My understanding from leadership is that we will not be going to a final vote tonight. Perhaps this will require a rollcall vote. It is not certain at this moment. But, in any event, to get to third reading, we need to clear these amendments. I believe there are only two Senators for whom we are waiting. If they intend to offer the amendments, we hope they are on their way to the floor or that their staffs will find them and get them to the floor of the Senate so they can do that. If they are deciding not to offer those amendments, please notify us. We want to go to third reading.

Mr. CAMPBELL. Mr. President, to our knowledge, we have only two Senators on our side who said they have an amendment they want to offer. We are on the phone now to try to get them down here. But I think if we can get them down here quickly, we will be able to finish this bill by Friday.

Mr. DORGAN. Mr. President, if, in fact, there is a way to get to third reading, and then do a voice vote on final passage, of course we would prefer to do that as well. My expectation is we will have a recorded vote on the conference report when it comes back from the conference, but I do not know

that that has yet been cleared. My understanding was that a voice vote had not been cleared some while ago.

In any event, if we can finish the amendments and get to third reading, it will have represented, in my judgment, significant progress. This is a fairly sizeable appropriations bill. The ability to do this bill today on the floor of the Senate would, I think, signal to the American people that this is a new seriousness of purpose in the Senate. We want to obviously do our business, and do it the right way, but we want to express to the American people that we are willing to work together and get things done.

This country suffers from a pretty serious crisis as a result of the terrorist acts. We want to demonstrate to the American people that we can go back to work and we can get this work done in an expeditious way.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. LEVIN. Mr. President, I ask unanimous consent that there be a short period of morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MEASURE READ THE FIRST TIME—S. 1438

Mr. LEVIN. Mr. President, I understand that S. 1438, the Department of Defense authorization bill which I introduced a few minutes ago, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title.

The legislative clerk read as follows:

A bill (S. 1438) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Mr. LEVIN. Mr. President, I now ask for its second reading.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I object. And the reasons for the objection are as follows: That in consultation with the Republican leader, in consultation with the majority whip, and in consultation with the chairman, the chairman is seeking to have this piece of legislation be considered under rule XIV. We have no objection to that, but for technical reasons the objection to the second reading is required. It should not be interpreted—my objection—as animosity or anything be-

tween the chairman and myself. It is just part of the procedure, arcane though it may be.

So I object to second reading.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

The Senator from Michigan.

#### MEASURE READ THE FIRST TIME—S. 1439

Mr. LEVIN. Mr. President, I understand that S. 1439, the Ballistic Missile Defense Act of 2001, which I introduced a few minutes ago, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title.

The legislative clerk read as follows:

A bill (S. 1439) to provide and revise conditions and requirements for the ballistic missile defense programs, and for other purposes.

Mr. LEVIN. Mr. President, I now ask for its second reading.

Mr. WARNER. Mr. President, I object for the same reasons as I stated under S. 1438.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

Mr. LEVIN. Mr. President, I yield the floor.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002—Continued

##### AMENDMENT NO. 1583

Mr. DORGAN. Mr. President, I send to the desk, on behalf of my colleagues Senator CLINTON, Senator SCHUMER, Senator DORGAN, Senator WARNER, and others, an amendment and ask for its immediate consideration.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for Mrs. CLINTON, for herself, Mr. SCHUMER, Mr. DORGAN, Mr. EDWARDS, Mr. BIDEN, Mr. BAYH, Mr. SARBANES, Mr. LEAHY, Mr. SHELBY, Ms. STABENOW, Mr. CLELAND, Mr. BREAUX, Mr. JOHNSON, Mr. CRAPO, Mr. SMITH of New Hampshire, Mr. HELMS, Mr. ALLARD, Mr. CHAFFEE, Ms. CANTWELL, Mr. INHOFE, Mr. KERRY, Mr. MCCAIN, Mr. FEINGOLD, Mr. MURKOWSKI, Mr. WYDEN, Ms. SNOWE, and Mr. WARNER, proposes an amendment numbered 1583.

Mr. DORGAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.